

KIDNAP FORCES
SENATOR HAMILTON HAS
WIN IN SENATE
POWER IN LOBBY

Reject Assembly Resolution
for Bank Inquiry by a
Joint Committee.

PARTY LINES BROKEN
BIG STIR IS PREDICTED

Ten Democrats Lend Aid in Admin-
istration's Bitter Fight to Prevent
Genuine Investigation.

RAINES HINTS AT BRIBERY
HITS AT FOWLER REPORT

Majority Leader, After Hot Debate, Obtains
a Clear Majority for Probing
by Commission.

[SPECIAL DESPATCH TO THE HERALD.]
ALBANY, N. Y., Wednesday.—Superintendent Kilburn and the State Banking Department will not be investigated by a legislative committee. By a decisive vote, in which party lines were broken, the Senate today refused to take the Assembly resolution for an investigation by a joint committee from the Finance Committee. At the same time the bill which designates former Judges Andrews and Parker as a commission to investigate the Banking Department was ordered on the Senate calendar.

Senator Raines, the majority leader, who represents the administration's views, had the assistance of twenty republicans and ten democrats, including Senator Grady, the minority leader.

Senator Stevens, who has opposed the Governor's policy on other occasions this winter, made a plea for a genuine investigation, and the Buffalo and Rochester Senators, with several members from New York, sustained his position. A long debate was opened in the Senate today when the Finance Committee reported the bill providing for an investigating commission. Moving to recommit the bill, Senator Stevens took the ground that the people demanded an investigation by the Legislature.

"It seems to me we are to-day in a very peculiar condition," Senator Stevens said. "The head of one of the State departments has asked for an investigation because there has been a public demand for it. It seems to be no more than fair that we should grant the request. It should be made known whether there has been fraud and collusion in the department or whether the law has been enforced. Personally, I don't believe there is anything wrong in the Banking Department. But every one who has given the subject attention knows that the banking law is not complete and that it does not afford full measure of protection to the depositors. The law is fragmentary and there is great room for improvement."

PERA FOR COMMITTEE INQUIRY.
"We should give this department an investigation to find out if it has done its duty or if there is fraud. It is untrue that there would be a panic in the financial world if an investigation were made. If it were found that there was collusion between the department and any bank, that institution would be examined. I object to this commission bill because it takes from the Legislature the duties which it ought to perform. It permits the members to shirk responsibility. It is a question in my mind if the Legislature has the power to delegate this power. It seems to me that the passage of this bill would deprive the people of the kind of investigation they are entitled to."

Senator Raines intimated that Senator Stevens wanted to be the chief investigator. The majority leader said: "There is bribery for money and bribery for favor, and when the Governor is asked to name one member to another asking for votes for his proposition as a favor, it comes near being one of the worst things that can be done. Will Senator Raines name one member whose vote I asked as a matter of favor?"

Senator Stevens informed that the Senator did ask for votes on his plan, Senator Raines said.

"Which is worse, bribery for money or bribery for favor?" Senator Elberg asked. "So far as the Penal Code is concerned, Senator Hamilton is a better investigator for one member to another asking for votes for his proposition as a favor, it comes near being one of the worst things that can be done. Will Senator Raines name one member whose vote I asked as a matter of favor?"

"The information that the Governor might pocket charges made against an official shows that the Governor is discredited in the eyes of the man who makes the information."

Senator Coggeshall opposed investigation in any form. "An investigation is exploited to satisfy the demands of hysterical conditions," he declared. "It is the duty of a man to conduct the boat when some one cries 'low bridge'."

Strong arguments in favor of an investigation were made by Senator Brackett. "I hold the belief that the Legislature should be a better understanding of the working of the Banking Department than the people now have," Senator Brackett said. "The investigation of the Banking Department is much more important than the investigation of some other official. I believe that when the investigation is made, it will be a revelation of the truth. The department is honest and proper or it is rotten. If it is rotten, let us have an investigation as quickly as possible."

"I want to say that Senator Raines, the majority leader, is treating this matter in the wrong way. As I have said, there are two ways of treating charges. One is to smother the man who makes them and the other is to let the charges be true. The latter way would be for the good of the State and for the good of the people. Senator White expressed the fear that an investigation would upset financial affairs. He was not in accord with the views of the majority of the Finance Committee, but said he would give way to its judgment.

Assertions Made That the
Companies Called Him
Back for His Aid.

One Man Declares That a Complete
Change in Public Mind Is
Sure to Come.

"Judge" Talks with Friends in Albany, but
Has Nothing to Say About
Insurance Matters.

Throughout the financial district yesterday the return of "Judge" Andrew Hamilton was one of the chief topics. Many and ingenious were the theories advanced by persons interested in the affairs of the insurance companies, and each group had its own explanation of the motive which prompted Hamilton to come to New York.

Perhaps the most interesting theory and the one most often advanced was that "Judge" had been recalled by the insurance companies for reasons which were declared to be perfectly obvious to those familiar with present conditions in the insurance world.

It was asserted that just at this time, when the Legislature is about to pass amendments to the insurance laws which will, if put upon the statute books, place restrictions on the business of the companies that are not at all to their liking, Hamilton's presence in Albany among his old friends will be an asset as valuable as any they could possess. It was argued that the "Judge" had not yet lost his influence with certain members of the State Legislature and that past favors at his hands may have put them under obligations to him.

Another theory which was taken seriously in some quarters was that Hamilton had been induced to return by District Attorney Jerome and that he had been promised immunity from criminal prosecution if he would, in exchange for this guarantee, promise to divulge certain secrets which might strengthen the case of the friends of John A. McCull in their efforts to obtain redress for some of the criticisms which have been directed against the late president of the New York Life.

John C. McCull, when seen by a reporter for the Herald, declined to discuss Hamilton's home coming or in any way comment on the new phases of the insurance situation which it has brought about.

From another but no less authoritative source it was learned that the report that friends of the McCalls had co-operated with the Fowler committee and the District Attorney to bring about Hamilton's return was false, no such concerted action having been taken. The same authority added that there was no truth in the statement that the McCalls had attempted to put forth any pressure to compel Hamilton to come back to this country.

Mr. Jerome refused to talk about any matter connected with Hamilton's return. His method of expressing his decision was characteristically emphatic.

Those members of the Fowler committee who were in the city were equally reticent when asked to tell the plans of the committee in Hamilton's case. The only statement came from Henry R. Steele, who after a conference with William A. Keener, of counsel for the committee, said Hamilton's return would mean the speedy bringing of civil suits for the return of nearly a million dollars spent by the "Judge" while he was watching legislation and taxation.

Alexander E. Orr, president of the New York Life, and the executive officers of the company attended the regular weekly meeting of the "office committee" in the morning. It was learned that the subject of Hamilton's return was not mentioned during the meeting. It was also learned that the company's house cleaning committee would take no action in bringing criminal proceedings against the "Judge."

"With the return of Hamilton some new features will be developed in New York Life affairs, and when their full import becomes public there will be a decided change in public opinion," was the declaration made by one man deeply conversant with the relations of Hamilton to the company.

"That report of the Fowler committee," he added, "will look like a collapsed balloon when the real facts come out, in court or otherwise. It will look especially bad after a legal accounting with Hamilton. In the first place, it is not the fair judicial document it should be. It has deceived the public. Hamilton's accounts with the New York Life have been given by date and amounts spread upon the books, and there is a record there of every dollar received and disbursed by him. Whenever he received a dollar he gave a receipt for it, except as to any drafts that came from the Paris office account, and for these he gave his voucher by endorsing the draft."

"There never was any concealment, and, in fact, when the Prussian government demanded it they received a full explanation."

"The Fowler committee in any single particular is right in its report and criticism of Hamilton and his disbursements why did the members not object to it a year, two years, three years or four years after, or at any time? The trustees are the men accountable for the whole of the Hamilton disbursements after any one year. They could stop these disbursements at any time."

"For instance, go back to 1896. If the Hamilton account was large in that year or any other year following why did not the trustees stop it? The fact is all the bills and accounts were regularly audited by the proper committee."

"As to indictments against Mr. Hamilton, that is all nonsense. There can be no charge against him because there is no evidence to implicate him in any crime. His return is a practical answer to all that 'tommy rot' The New York Life paid him so much money without any concealment or false entries. If the assertion is made that he owes the company any money that is wholly a matter of accounting, and he is just as desirous for that as any of the trustees and has more to gain by it. John G. Milburn's statement made in Buffalo sounds absurd, but he is evidently not well informed about the facts that are so important to a sound understanding of the controversy."



FACING THE MUSIC.

AMERICAN GIRL
DROWNED IN SEINE

Mystery Surrounding the Discovery
of Marred Body of a Woman
in the River.

ETHEL A. BROWN ON CLOTHES
Identity of Possible Victim
of Tragedy.

French Police Request Americans to Trace
Identity of Possible Victim
of Tragedy.

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CREW STARVING,
MATE A MANIAC

Captain and Eight Men of Wrecked
Lumber Schooner Almost Dead
When Relief Arrives.

Volunteers from the Anna R. Bishop Save
the Eliza J. Pendleton's Company
in Nick of Time.

Captain Bowen, of the lumber schooner Anna R. Bishop, now lying at the foot of his owners, A. E. & A. L. Heidricher, at Elizabethport, told yesterday how volunteers from his crew had rescued the crew of the wrecked three masted schooner Eliza J. Pendleton. The rescued seamen were in a bad plight when aid arrived, and one of their number had become temporarily insane.

It appeared to be that of a woman of means and was elegantly dressed. The undergarments were embroidered with the name "Ethel A. Brown." On the hands were two gold rings. She wore pearl earrings, a gold locket and a chain around her neck, and she wore kid gloves.

No money and no papers were found on the body. There was a deep wound two inches long across the scalp. The police are unable to decide whether the wound was the result of an accident or of an intentional blow. The body apparently had been in the water several weeks. The first clue to the identity of the woman was the following entry, made in 1903, on the police records of foreigners visiting Paris:—

"Ethel Brown, American, born at Fayetteville November 21, 1872; father, John, mother, Sally Geachy."

The name of the State from which she came was not given. The body remains at the morgue.

French and American officials are co-operating with the police in endeavors to establish the identity of the woman.

MISS ETTA BROWN
ALIVE AND WELL

Visited Paris Last Year and Is Now
Teaching French in Fayetteville, N. C.

CHICAGO DARK AS
NIGHT IN DAYTIME

Pail of Smoke and Cloud Covers the
City and Puts a Temporary
Check on Business.

Electric Lights Turned On at Eleven
O'clock in the Morning and Chick-
ens Go to Roost.

[SPECIAL DESPATCH TO THE HERALD.]
CHICAGO, Ill., Wednesday.—Chicago struggled for more than two hours to-day against a pail of darkness the like of which has not obscured the city in many years. It came down shortly after nine o'clock, and in some parts of the city it spread as far north as Waukegan.

At half-past ten o'clock all the stores and offices in the business districts were lighted up as they are at twilight on midwinter evenings. At times it was impossible to see half a square along the street. Collisions were numerous.

In South Water street there was confusion in the maze of horses and wagons that choked the thoroughfare. Inside the stores the chickens cooped in their crates went to sleep as if it were night. At the doors salesmen stood and peered out, awaiting customers who did not come. In the street cars and elevated trains the passengers trembled as grimpen and motemen felt their way along the rails.

The darkness brought business in the stockyards to a complete standstill for a time. It became so dark that cattlemen were unable to distinguish their stock from that owned by others, and simply had to wait for light.

Observer Cox, of the Chicago Weather Bureau, said the darkness was due to haze from the lake, to clouds and to smoke which the absence of wind had allowed to gather in the atmosphere.

ST. LOUIS SUFFERS
STRANGE DARKENING

Uncanny Gloom Causes Closing of
Schools and Confusion in
the Streets.

[SPECIAL DESPATCH TO THE HERALD.]
ST. LOUIS, Mo., Wednesday.—For more than half an hour at midday St. Louis was plunged into uncanny night. A dense, black smoke cloud settled upon the city, excluding all natural light and making traffic on the streets, business in the stores and offices and ordinary pursuits in the homes utterly impossible without artificial light.

Public schools that are not equipped with electric lights were compelled to dismiss for the day, and the children were sent home in terror. For half an hour the telephone exchanges were rushed with hurry calls by business men trying to reach their homes to inquire if all was well. Persons looking down from upper stories of tall buildings could not see the streets, and the smoke cloud defied electric lights and gas. The darkness was so dense and almost saturated with water. It grew denser and heavier till the wind rose and drove it away.

SAYS RAIL, BUT
FRENCH CABINET
FALLS BY THE
WHEELS

President Approves Proposed
Investigation of Railroad
Monopolies in Coal and Oil.

ACTS WITH HESITATION

Declares Measure Can Achieve Little
and Perhaps Nothing Without
Further Legislation.

INQUIRY ALREADY GOING ON

Message Interpreted as Meaning Prosecu-
tion of Monopolies Is Contem-
plated by President.

HERALD BUREAU,
No. 734 FIFTEENTH STREET, N. W.,
WASHINGTON, D. C., Wednesday.

President Roosevelt sent a message to Congress today announcing that he had signed the Tillman-Gillespie resolution calling on the Interstate Commerce Commission to investigate railroad monopolies in coal and oil, and incidentally gave Congress a piece of news officially that will attract wide attention.

Mr. Roosevelt said the Department of Commerce and Labor had had under investigation the monopolies in both oil and hard coal, and the reports would be submitted to Congress before its adjournment.

The President also gave it as his opinion that there might be grave danger of such an investigation as was proposed giving immunity to persons who might otherwise be criminally prosecuted by the government.

In his message Mr. Roosevelt said:—
"I have signed the joint resolution 'instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies in coal and oil, and report on the same from time to time.' I have signed it with hesitation, because in the form in which it was passed it achieves very little, and may achieve nothing, and it is highly undesirable that a resolution of this kind shall become law in such form as to give the impression of insincerity—that is, of pretending to do something which really is not done—but after much deliberation I concluded to sign the resolution because its defects can be remedied by legislation which I hereby ask for. It must be understood that unless this subsequent legislation is granted the present resolution must be mainly, and may be entirely, inoperative."

ALREADY UNDER INQUIRY.
"Before specifying what this legislation I wish to call attention to one or two preliminary facts. In the first place, a part of the investigation requested by the House of Representatives in the resolution adopted February 15, 1905, relating to the oil industry, and a further part having to do with the anthracite coal industry, have been for some time under investigation by the Department of Commerce and Labor. These investigations, I am informed, are approaching completion, and before Congress adjourns I shall submit to you the preliminary report of these investigations. Until these reports are completed the Interstate Commerce Commission could not undertake to conduct an investigation of the nature proposed in this joint resolution. It is thoroughly and effectively completed. It will result in the submission of a report from criminal prosecution to all persons who are called, sworn and constrained by compulsory process of law to testify as witnesses; though, of course, such immunity from prosecution is not given to those from whom statements or information are taken in confidence, or in sworn testimony, are obtained."

"This is not at all to say that such investigations should be made as a matter of course by the Interstate Commerce Commission. It is a matter of public policy, and it is a matter of public policy that the Interstate Commerce Commission should be kept as free as possible from the influence of the courts of law and the courts of equity. There are many cases where an investigation, securing complete publicity about abuses and wrongs, is a matter of public policy, and it is a matter of public policy that the Interstate Commerce Commission should be kept as free as possible from the influence of the courts of law and the courts of equity. There are many cases where an investigation, securing complete publicity about abuses and wrongs, is a matter of public policy, and it is a matter of public policy that the Interstate Commerce Commission should be kept as free as possible from the influence of the courts of law and the courts of equity. 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